

**REMARKS**

Claims 1, 2, 4-7, and 9 are pending in this application. By the Office Action, the specification is objected to, claims 1, 6, and 7 are objected to, claims 3, 4, and 8-11 are rejected under 35 U.S.C. §112, and claims 1-11 are rejected under 35 U.S.C. §103. By this Amendment, the specification is amended, claims 1, 4, 7 and 9 are amended to further clarify the subject matter being claimed, and claims 3, 8, 10, and 11 are canceled without prejudice. Support for the amendments to claim 1 may be found, for example, in original claim 3. Thus, no new matter is added by the above amendments. In view of at least the following, reconsideration and allowance are respectfully requested.

**I. Objections to the Specification**

The Office Action objects to the specification for alleged informalities. Without agreeing with or acquiescing to the objection, Applicants note that the specification has been amended to address the Examiner's concerns. Reconsideration and withdrawal of the objection are respectfully requested.

**II. Claim Objections**

The Office Action objects to claims 1, 6, and 7 for alleged informalities. Without agreeing with or acquiescing to the objections, Applicants note that claims 1 and 7 have been amended to address the Examiner's concerns. Reconsideration and withdrawal of the objections are respectfully requested.

**III. Rejections Under 35 U.S.C. §112**

The Office Action rejects claims 3, 4, and 8-11 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Without agreeing with or acquiescing to the rejections of claims 3 and 8, Applicants note that claims 3 and 8 have been canceled without prejudice, rendering the rejection of these claims moot. Reconsideration and withdrawal of the rejection are respectfully requested.

As for the rejection of claims 4 and 9-11, Applicants note that claims 4 and 9 have been amended to address the Examiner's concerns, and claims 10 and 11 have been canceled without prejudice, rendering the rejection of these claims moot. Reconsideration and withdrawal of the rejection are respectfully requested.

#### **IV. Rejections Under 35 U.S.C. §103**

The Office Action rejects claims 1 and 6 under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakaya et al. (U.S. Patent No. 4,698,379, hereinafter "Nakaya") in view of Takamasa et al. (JP Publication No. 10-088062, hereinafter "Takamasa"); rejects claim 2 under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakaya in view of Takamasa and further in view of Wakabayashi et al. (WO Publication No. 2004/031299, hereinafter "Wakabayashi"); rejects claim 7 under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakaya in view of Takamasa and further in view of Dany et al. (U.S. Patent No. 4,009,137, hereinafter "Dany"); rejects claims 2, 8, 9, and 11 under 35 U.S.C. §103(a) as allegedly being unpatentable over Takizawa et al. (U.S. Patent No. 6,783,850, hereinafter "Takizawa") in view of Abe et al. (U.S. Patent No. 4,081,414, hereinafter "Abe") and Wakabayashi; and rejects claim 7 under 35 U.S.C. §103(a) as allegedly being unpatentable over Takizawa in view of Abe and Dany. Applicants respectfully traverse the rejections.

Without agreeing with or acquiescing to the rejections, Applicants note that independent claim 1 has been amended to recite, *inter alia*, "an acrylic copolymer (A) containing at least one carboxyl group as a functional group and having a molecular weight of 800 to 20,000, an acid (AV) of 20 to 150 and a glass transition temperature (Tg) of -60°C to -20°C as determined by differential scanning calorimetry" (as originally recited in canceled claim 3). Although Nakaya, Takamasa, Wakabayashi, Dany, and Abe fail to disclose the claimed acrylic copolymer with the recited properties, in the rejection of canceled claim 3, the

Office Action relies upon Takizawa to disclose the claimed acrylic copolymer having the aforementioned recited properties, previously recited in canceled claim 3.

However, Applicants submit that Takizawa also fails to disclose the claimed acrylic copolymer having the recited properties. Specifically, Takizawa discloses two acrylic copolymers (*see* Takizawa, col. 27, lines 62-67, and col. 28, lines 21-24). The first of the two aforementioned acrylic copolymers disclosed in Takizawa has a *weight average molecular weight of 620,000*, unlike the claimed acrylic copolymer (A) which has a molecular weight of 800 to 20,000 (*see* Takizawa, col. 28, lines 62-67). The second of the aforementioned acrylic copolymers disclosed in Takizawa has a *molecular weight of 690,000* and a *glass transition temperature of -77°C*, unlike the claimed acrylic copolymer (A) which has a molecular weight of 800 to 20,000 and a glass transition temperature of -60°C to -20°C measured by differential scanning calorimetry (DSC) (*see* Takizawa, col. 28, lines 21-24).

Furthermore, the tackifier resins disclosed in Takizawa are not equivalent to the claimed acrylic copolymer (A). According to Table 1 of Takizawa, the tackifier resins disclosed in Takizawa have molecular weights ranging from 1700 to 9000 (*see* Takizawa, Table 1). However, the glass transition temperatures of the tackifier resins disclosed in Takizawa range from *20°C to 180°C*, unlike the claimed acrylic copolymer (A) which has a glass transition temperature ranging from -60°C to -20°C (*see* Takizawa, Table 1).

For at least these reasons, Applicants submit that Takizawa and the other cited publications (either alone or in any combination) fail to disclose or to have rendered obvious, *inter alia*, the claimed acrylic copolymer (A) recited in independent claim 1 (and dependent claims 2, 4-7, and 9). Therefore, Applicants submit that Nakaya, Takamasa, Wakabayashi, Dany, Takizawa, and Abe (either alone or in any combination) fail to disclose or to have rendered obvious all of the elements of independent claim 1.

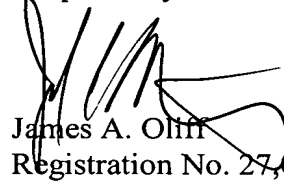
Thus, the cited references would not have rendered obvious independent claim 1 (and dependent claims 2, 4-7, and 9). Reconsideration and withdrawal of the rejections are respectfully requested.

**V. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 4-7, and 9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Joel S. Armstrong  
Registration No. 36,430

JAO:AMJ/rle

Date: June 11, 2009

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--